

From: [Jolivette, Stephanie \(DAHP\)](#)
To: [Brittany Gillia](#); [Nicole Floyd](#)
Cc: [Shaun Dinubilo](#)
Subject: DAHP Project 2021-07-04606 RE: West Bay Yards- Updated CR Report
Date: Friday, January 31, 2025 4:32:25 PM
Attachments: [image002.jpg](#)
[image009.jpg](#)
[image004.png](#)
[image006.png](#)
[image008.png](#)

Hello Brittany and Nicole,

Thank you for hosting a meeting to discuss the West Bay Yards project. I was concerned to hear at the meeting that the project proponent had elected not to address the Squaxin Island Tribe's concerns about the survey report. As indicated in the email below from Shaun Dinubilo, DAHP Washington State Standards for Cultural Resources Reporting require that survey reports should include a "Summary of the cultural history, ethnography, and history of the region with an emphasis on historical settlement and activity in the specific project area" (pp. 29-30). The Squaxin Tribe has indicated that the current ethnography does not accurately portray the ethnography of the specific project area. The background section has important implications for survey design, as well as interpretation and analysis of any archaeology found in the project area. In this case, a precontact period site, likely formed by the Steh-Chass is within the project area, and any interpretation of that site necessarily requires acknowledgement of the contributions of the Steh-Chass to the site.

We are concerned at the inaction of the project proponents. These comments were made by the Squaxin Tribe some time ago and could easily have been incorporated into an updated draft in the interim. The DAHP has not yet accepted the survey report for this project, and we will hold off our acceptance of the report until these changes are made. A final draft of the report should then be submitted to the affected Tribes and the DAHP for review.

In addition, the DAHP has not yet been provided with a completed site inventory form for site 45TN00556. A confusing assortment of four partial site inventory forms are currently in the DAHP Project folder in the online WISAARD submittal portal. The most accurate form, denoted as Resource Id: 763451: Historic Sawmill and Shell Midden Properties, is still in "Draft" status in the database and has not yet been submitted for review. If this is the completed draft of the inventory form the consultant needs to hit the "Submit" button and then send an email to Smithsonian@dahp.wa.gov to initiate the review process.

This project is currently under local government review, and therefore a DAHP Permit is required for any work within or on top of the archaeological site. A DAHP Permit will not be issued until the site inventory form review is complete and the report is accepted by the DAHP. We have heard indications that at some point this project may fall under federal oversight – but as the federal review process has not yet been initiated, the DAHP Permit requirement is in place. Once the DAHP is formally contacted by a federal lead agency to initiate the Section

106 process, the federal project APE will then fall under federal jurisdiction, which generally means that the DAHP Permit is no longer required in deference to the federal process. If additional site work is needed in the near term and the project proponent would like to avoid the DAHP Permitting process, we recommend they initiate the federal review process as soon as possible.

We appreciate the City taking the time to clarify the current City permitting process. We recommend the City not issue the Land Use permit until a report meeting DAHP reporting standards is submitted and accepted by the Tribe and DAHP, and the DAHP site inventory form is submitted and accepted by our agency. If the Land Use permit allows any work within or on top of the archaeological site, we recommend that the Land Use permit be issued with a notice that the project must apply for a DAHP Permit prior to any work within or on top of the archaeological site.

Please feel free to reach out if you have questions about these requirements and recommendations.

Best,
Stephanie



Stephanie Jolivette (*She/Her/Hers*)
Local Government Archaeologist
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Mailing Address: PO Box 48343, Olympia, WA 98504-8343
www.dahp.wa.gov

From: Shaun Dinubilo <sdinubilo@squaxin.us>
Sent: Friday, January 31, 2025 8:53 AM
To: Brittany Gillia <bgillia@ci.olympia.wa.us>
Cc: Nicole Floyd <nfloyd@ci.olympia.wa.us>; Jolivette, Stephanie (DAHP) <stephanie.jolivette@dahp.wa.gov>
Subject: RE: West Bay Yards- Updated CR Report

External Email

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accept the document. The report lacks fundamental information relating to the ethnographic/cultural setting which is critical for understanding the relationship of the project area to ancient lifeways and uses. In particular, the lack of information about the Steh-Chass in the cultural setting/ethnographic section of the report is jarring. The Washington State Standards for Cultural Resources Reporting, updated 4/19/2023, requires that cultural setting/ethnographic sections summarize "...the cultural history, ethnography, and history of the region with an emphasis on historical settlement and activity in the specific project area" (DAHP 2023:29). The fact that Aqua Terra is choosing to delay addressing my comment regarding their lack of information about the Steh-Chass in their report is hugely problematic and does not summarize the ethnography of the project area, which, from my understanding, is a state standard for cultural resource reporting. To reiterate, for the time being, we reject the Aqua Terra West Bay Yards cultural resource report until my comment about them including a discussion about the Steh-Chass in their cultural setting/ethnographic section is addressed. Lastly, we respectfully ask the City of Olympia to not issue any land use permits for this project until the report conforms to the state reporting standards for cultural resource reporting. These standards can be found here: <https://dahp.wa.gov/sites/default/files/CR%20Update%20April2023.pdf>

You wish to discuss this further with me, please feel free to reach out.

Thank you,



Shaun Dinubilo
Archaeologist
FAA Certified (Section 107) sUAS Remote Pilot
Cultural Resource Department
Squaxin Island Tribe
200 S.E. Billy Frank Jr. Way
Shelton, WA 98584
Phone: 360-432-3998
Email: sdinubilo@squaxin.us
Office Hours: 7:30 am to 4:00 pm

Email is my preferred method of communication.

As per 43 CFR 7.18[a][1]) of the Archaeological Resource Protection Act, Section 304 of the National Historic Preservation Act, and RCW 42.56.300 of the Washington State Public Records Act-Archaeological Sites, all information concerning the location, character, and ownership of any cultural resource is exempt from public disclosure.

From: Brittany Gillia <bgillia@ci.olympia.wa.us>

Sent: Tuesday, January 21, 2025 1:41 PM

To: Shaun Dinubilo <sdinubilo@squaxin.us>; Jolivette, Stephanie (DAHP) <stephanie.jolivette@dahp.wa.gov>

Cc: Brad Beach <beach.brad@nisqually-nsn.gov>; Nicole Floyd <nfloyd@ci.olympia.wa.us>

Subject: West Bay Yards- Updated CR Report

Hello,

I am reaching out to share the updated SEPA checklist and Cultural Resource Report that was submitted by the West Bay Yards applicant for their 4th round of review. I understand that the Squaxin Island Tribe has provided comments in a spreadsheet for the applicant to address in their CR Report. I also know that DAHP has recommended that the land use condition of approval should clarify/ensure the applicant knows the next steps.

I took a look at the documents and compared them to the previous submittals and found that the updates did not clearly address the comments sent in during the last round of review- it seems as though the applicant is deferring many of the high priority comments on the spreadsheet to their eventual DAHP permit and Section 106 review. *(If this review was not going through other processes (DAHP or 106) I would be very hesitant to approve the report with conditions, however, because I know that there are several opportunities ahead I am open to it.)*

Are you comfortable with having these clarifications deferred to future rounds of review? Based on the context of the project and the site, I would like to have a brief conversation about how the applicant would move forward with their proposed phasing so we are all on the same page and know what to expect.

Would you please provide me with your preliminary thoughts or comments? I'd like to schedule a very brief virtual meeting for next Thursday so we can coordinate. Formal review comments would not be required next week, but I would like to have them by February 4th.

Let me know what you think, and if Thursday January 30th at 1 pm works for you. I am flexible with the potential meeting time.

Thank you!

Brittany Gillia (*she/her*)

Associate Planner/Historic Preservation Officer

City of Olympia | Community Planning and Development Department

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Ph: 360.753.8427

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From: [Carp, Lizzie \(ECY\)](#)
To: [Teel, Steve \(ECY\)](#); [Nicole Floyd](#); [Steinweg, Noll E \(DFW\)](#); daniel.a.krenz@usace.army.mil; [Scott Steltzner](#)
Cc: [Abbett, Marian L. \(ECY\)](#)
Subject: RE: West Bay Yards
Date: Tuesday, March 4, 2025 10:48:00 AM
Attachments: [image001.jpg](#)

Hi Nicole,

Sorry for the wait—it took some time for our engineers to wade through all the materials.

- The Alternatives Analysis states that Alternatives 3 and 4 will have a narrower berm with reduced resiliency. However, the drawings show that 2, 3, and 4 all have a berm 11.24' wide. All 3 options appear to have the same distance to the new projected OHWM.
- Alternative 4 states that the required excavation would make the project infeasible. Based on Steve's comments it sounds like this may not be the case.
- Alternatives 3 and 4 state that they would have less riparian planting space. Is it possible to narrow the esplanade? If not, it makes sense that the planting area would be narrower. However, the drawings appear to show it being the same width in all alternatives.
- Alternatives 3 and 4 state that there will be less planting substrate over existing riprap. From the drawings, this isn't clear.

From the alternatives analysis, it sounds like the only difference between 3 and 4 is the purported infeasibility of excavating the extra riprap. However, based on Steve's comments, it's not clear that it would be infeasible. The applicant should demonstrate why they could not use a Portadam and base their MTCA strategy around full riprap removal.

Thank you,
Lizzie

Lizzie Carp (she/her)
Wetland/Shoreland Specialist
WA Department of Ecology | Southwest Regional Office | Shorelands & Environmental Assistance Program
(564) 200-4184 | lizzie.carp@ecy.wa.gov

From: Teel, Steve (ECY) <stee461@ECY.WA.GOV>
Sent: Wednesday, February 12, 2025 5:09 PM
To: Nicole Floyd <nfloyd@ci.olympia.wa.us>; Steinweg, Noll E (DFW) <Noll.Steinweg@dfw.wa.gov>; Carp, Lizzie (ECY) <lcarr461@ECY.WA.GOV>; daniel.a.krenz@usace.army.mil; [Scott Steltzner](mailto:Scott.Steltzner@squaxin.us)
Cc: [Abbett, Marian L. \(ECY\)](#) <MABB461@ECY.WA.GOV>
Subject: RE: West Bay Yards

Hi Nicole,

Thanks for providing the documents in your email for us to review. With regards to your question #5, below, Ecology has negotiated an administrative order (Agreed Order) with West Bay Development Group (WBDG). Before Ecology can finalize and issue the Agreed Order, a 30-day public comment period must be held and any public comments received will be considered and any necessary changes made. We don't yet have a schedule date for the public comment period but at this point, it won't likely begin until sometime in April 2025. Ecology is currently waiting on WBDG's signature on the Agreed Order and will not schedule the comment period until their signature is received.

When the Agreed Order is issued, it will require WBDG to complete a supplemental remedial investigation (RI), feasibility study (FS), and a preliminary draft Cleanup Action Plan (CAP). Please see the below comments for your consideration:

3rd Round Review Comments – November 8, 2023, and Applicant Response

- a. The applicant's response to item "Location of Ordinary High Water Mark/Phasing" states that *"Upland fill outside of the VCA area may occur prior to issuance of USACE permits if otherwise authorized by City approvals."* Placement of upland fill should not occur until approved by Ecology's Toxic Cleanup Program to avoid interference with supplemental RI/FS work and/or implementation of remedial actions.

The applicant's response also states that the *"terms of the Agreed Order allow the Applicant to propose completion of a sediment Interim Action which would be associated with the proposed shoreline restoration project. Any Interim Action will be subject to Ecology approval."* This statement is correct, but it should be noted that a public comment period on the proposed interim action will need to be held prior to Ecology approval. Also, Ecology will need to be satisfied that sufficient sediments RI/FS work has been performed prior to the interim action.

- b. Item 5, Shoreline Mitigation Sequencing, Revision/Additional info, comment 5i: The supplemental RI/FS that will be performed under a MTCA Agreed Order will determine if there is contamination under the existing riprap that needs to be removed. If contamination in this area needs to be removed, it could be performed as was done at the Irondale Iron and Steel sediment cleanup site in Washington. At the Irondale site, the contractor attempted to install a sheet pile wall cofferdam but met with refusal due to an obstruction. However, the contractor was able to quickly find and successfully use an alternate method which consisted of a temporary cofferdam system ("Portadam") to accomplish the cleanup work. The unit price per linear foot in the Irondale contract for the Portadam in 2012 was \$312 per linear foot. So, there is a feasible alternative to the installation of a sheet pile wall cofferdam.
- c. Item 5, Shoreline Mitigation Sequencing, Revision/Additional info, comment 5iii: It is premature to speculate on the cleanup alternatives that would be chosen for an interim action or in the draft CAP. It is true that sediment capping is a common cleanup alternative for sediments. However, targeted sediment contamination removal will also need to be considered. If capping is chosen as a remedy for sediments, the interim action work plan and/or FS will determine the necessary capping locations and thickness.

- d. Item 5, Shoreline Mitigation Sequencing, Revision/Additional info, comment 5iv: Ecology does not agree that there is sufficient information at this time to support the statement that *"any cut into the existing fill/riprap would unacceptably threaten the integrity of the remedial action previously installed/approved."*

West Bay Yards: No Net Loss and Mitigation Sequencing Narrative, Grette Associates LLC, November 22, 2024

- a. Section 3.2.1, Removal of Debris: Removal of debris and pilings should not occur until approved by Ecology's Toxic Cleanup Program to avoid interference with supplemental RI/FS work and/or implementation of remedial actions. Removal of creosote-treated pilings and in-water structures should be performed consistent with Ecology's Sediment Cleanup User's Manual (SCUM).
- b. Section 4.2.1, Avoidance: Regarding the concern about *"avoiding potential environmental impacts from removing the existing material,"* as stated above, Ecology does not agree that there is sufficient information at this time to support the statement that *"any cut into the existing fill/riprap would unacceptably threaten the integrity of the remedial action previously installed/approved."*
- c. Section 5.2, Shoreline Restoration, 3rd paragraph: As stated above, it is premature to speculate on the sediments cleanup alternatives that would be chosen for an interim action or in the draft CAP. It is true that sediment capping is a common cleanup alternative for sediments. However, targeted sediment contamination removal will also need to be considered. If capping is chosen as a remedy for sediments, the interim action work plan and/or FS will determine the necessary capping locations and thickness.

West Bay Yards Shoreline Restoration Design, Moffatt & Nichol, November 2024

- a. Table 5-5, Quantitative Comparison of Alternatives in Terms of Required Fill in Addition to Permitting Considerations: The table includes a column of "Environmental (MTCA) Considerations" for each of the alternatives. The MTCA cleanup process should be considered independent of shoreline restoration alternatives. The MTCA cleanup will be designed to be protective for any of the alternatives. Also, as stated above, it is premature to speculate on the cleanup alternatives that would be chosen for an interim action or in the draft CAP. It is true that sediment capping is a common cleanup alternative for sediments. However, targeted sediment contamination removal will also need to be considered. If capping is chosen as a remedy for sediments, the interim action work plan and/or FS will determine the necessary capping locations and thickness.

Please remove MTCA considerations from the table.

- b. Also, in the geotechnical considerations, the table needs to consider that the Portadam method mentioned above is a possible alternative to using a sheet pile wall cofferdam.

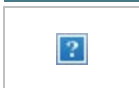
Updated SEPA Checklist, 11/26/2024

- a. Section 7.a.1, Environmental Health: This section mentions that there is soil and groundwater contamination but the presence of dioxins/furans and cPAHs sediment contamination is not mentioned; this needs to be added.

- b. Section 7.a.1, Environmental Health, 4th bullet: Ecology disagrees with the statements in this bullet regarding whether or not contaminated soil behind the revetment should be removed. We also disagree that removing the revetment and the soil behind the revetment would increase the risk for transport of contaminants to West Bay surface water or sediment. The MTCA cleanup process should be considered independent of shoreline restoration alternatives. The MTCA cleanup will be designed to be protective for any of the alternatives. It is premature to speculate on the cleanup alternatives that would be chosen for an interim action or in the draft CAP. **Please delete this bullet from the checklist.**
- c. Section 7.a.2, Environmental Health, 1st bullet: Please delete the sentence "*The anticipated MTCA remedy for these hazardous chemicals/conditions have been integrated into and are harmonious with the existing project design.*" The MTCA cleanup process should be considered independent of shoreline restoration alternatives.
- d. Section 7.a.5, Environmental Health, 1st bullet: Please delete the bullet text and state instead that existing site contamination will be cleaned up under a MTCA Agreed Order.
- e. Section 13, Historic and cultural preservation, Item d, Proposed measures to avoid, minimize, or compensate for loss, changes to, or disturbance to resources: The checklist states that the developer will consult with DAHP and the Squaxin Island Tribe to further evaluate and mitigate for project impacts. In addition to the Squaxin Island Tribe, other affected Tribes should be consulted as well. For example, the Nisqually Indian Tribe has informed Ecology of their concern about this. **Please update the checklist to indicate that all affected Tribes will be consulted.**

Thanks,
Steve

Steve Teel, LHG
Cleanup Project Manager/Hydrogeologist
Washington State Department of Ecology
Toxics Cleanup Program, Southwest Region Office
P.O. Box 47775
Olympia, WA 98504-7775
Mobile (360) 890-0059
steve.teel@ecy.wa.gov



From: Nicole Floyd <nfloyd@ci.olympia.wa.us>
Sent: Thursday, January 23, 2025 4:38 PM
To: Steinweg, Noll E (DFW) <Noll.Steinweg@dfw.wa.gov>; Carp, Lizzie (ECY) <lcar461@ECY.WA.GOV>; Teel, Steve (ECY) <stee461@ECY.WA.GOV>; daniel.a.krenz@usace.army.mil; Scott Steltzner <[ssteltzner@squaxin.us](mailto:sseltzner@squaxin.us)>
Subject: West Bay Yards

External Email

Hey Team,

I am writing to let you know we have received round 4 of the West Bay Yards application submittal. I have attached a couple documents, and have some questions / updates for you:

1. The applicant has pulled the shoreline restoration work back so that they will be creating less new upland area, but not eliminating it. I am curious what you see related to the new design that stands out.
 - a. I am particularly interested/concerned about the transitional areas on the north/south sides of the property.
2. Shoreline CUP. The applicant has revised materials to indicate that this is now a SCUP due to the commercial /residential mix being within 100' of the OHWM. I am curious how/if this changes your comments.
 - a. Are there other elements that also warrant SCUP – like the groin. I have not studied the plans carefully but suspect it remains part of the plan.
 - b. Lizzie – it is my understanding that only the parts of the project that require the SCUP would be held to the higher standard – is that correct?
3. Do you see feasibility issues with this new design?
4. Daniel – can you confirm they have / have not applied for a army corp permit? I believe they have not.
5. Steve – can you provide an update on where they are at in the clean up approval process and if this design change conforms with those plans/approach? Do you see issues we should be aware of?
6. Other??

Please let me know if you have thoughts/comments or want to see additional plans. I can only send so much via email but will have things available on the website soon.

Nicole Floyd, AICP

Principal Planner | City of Olympia

601 4th Ave E. | Olympia, WA 98501

Ph: 360.570.3768 | Fax: 360.753.8087

Web: olympiawa.gov

From: [Steinweg, Noll E \(DFW\)](#)
To: [Nicole Floyd](#); [Carp, Lizzie \(ECY\)](#); [Teel, Steve \(ECY\)](#); daniel.a.krenz@usace.army.mil; [Scott Steltzner](#)
Subject: RE: West Bay Yards
Date: Tuesday, February 11, 2025 10:40:02 AM

Hi Nicole,

Thanks for the opportunity to review this again. We are starting to see more and more of this project type around the region with examples now in Oakland Bay and Commencement Bay. WDFW is generally supportive of this project type.

Cutback alternatives:

- WDFW recommends that the project provide as much cutback as possible for habitat gain. Although we can likely permit any of the three alternatives with an HPA, we prefer the partial or full cutback design options since they provide a wider habitat bench.

Hard armor:

- Given the high degree of change this area of shoreline is expected to see over the next 10-20 years from various projects in the vicinity it seems reasonable to not try to contain the imported sediment with hard armor at the property line(s). We recommend a monitoring and management plan to see what happens to the sediment and respond accordingly.

Thanks, Noll

Noll Steinweg
Area Habitat Biologist
Region 6, Olympia Office
Washington Department of Fish and Wildlife
360-628-2173 (cell)
Work schedule: Monday-Thursday

From: Nicole Floyd <nfloyd@ci.olympia.wa.us>
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Date: Friday, January 31, 2025 8:53:29 AM
Attachments: [image001.jpg](#)

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Associate Planner/Historic Preservation Officer

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When the Agreed Order is issued, it will require WBDG to complete a supplemental remedial investigation (RI), feasibility study (FS), and a preliminary draft Cleanup Action Plan (CAP). Please see the below comments for your consideration:

3rd Round Review Comments – November 8, 2023, and Applicant Response

- a. The applicant's response to item "Location of Ordinary High Water Mark/Phasing" states that *"Upland fill outside of the VCA area may occur prior to issuance of USACE permits if otherwise authorized by City approvals."* Placement of upland fill should not occur until approved by Ecology's Toxic Cleanup Program to avoid interference with supplemental RI/FS work and/or implementation of remedial actions.

The applicant's response also states that the *"terms of the Agreed Order allow the Applicant to propose completion of a sediment Interim Action which would be associated with the proposed shoreline restoration project. Any Interim Action will be subject to Ecology approval."* This statement is correct, but it should be noted that a public comment period on the proposed interim action will need to be held prior to Ecology approval. Also, Ecology will need to be satisfied that sufficient sediments RI/FS work has been performed prior to the interim action.

- b. Item 5, Shoreline Mitigation Sequencing, Revision/Additional info, comment 5i: The supplemental RI/FS that will be performed under a MTCA Agreed Order will determine if there is contamination under the existing riprap that needs to be removed. If contamination in this area needs to be removed, it could be performed as was done at the Irondale Iron and Steel sediment cleanup site in Washington. At the Irondale site, the contractor attempted to install a sheet pile wall cofferdam but met with refusal due to an obstruction. However, the contractor was able to quickly find and successfully use an alternate method which consisted of a temporary cofferdam system ("Portadam") to accomplish the cleanup work. The unit price per linear foot in the Irondale contract for the Portadam in 2012 was \$312 per linear foot. So, there is a feasible alternative to the installation of a sheet pile wall cofferdam.
- c. Item 5, Shoreline Mitigation Sequencing, Revision/Additional info, comment 5iii: It is premature to speculate on the cleanup alternatives that would be chosen for an interim

action or in the draft CAP. It is true that sediment capping is a common cleanup alternative for sediments. However, targeted sediment contamination removal will also need to be considered. If capping is chosen as a remedy for sediments, the interim action work plan and/or FS will determine the necessary capping locations and thickness.

- d. Item 5, Shoreline Mitigation Sequencing, Revision/Additional info, comment 5iv: Ecology does not agree that there is sufficient information at this time to support the statement that *"any cut into the existing fill/riprap would unacceptably threaten the integrity of the remedial action previously installed/approved."*

West Bay Yards: No Net Loss and Mitigation Sequencing Narrative, Grette Associates LLC, November 22, 2024

- a. Section 3.2.1, Removal of Debris: Removal of debris and pilings should not occur until approved by Ecology's Toxic Cleanup Program to avoid interference with supplemental RI/FS work and/or implementation of remedial actions. Removal of creosote-treated pilings and in-water structures should be performed consistent with Ecology's Sediment Cleanup User's Manual (SCUM).
- b. Section 4.2.1, Avoidance: Regarding the concern about *"avoiding potential environmental impacts from removing the existing material,"* as stated above, Ecology does not agree that there is sufficient information at this time to support the statement that *"any cut into the existing fill/riprap would unacceptably threaten the integrity of the remedial action previously installed/approved."*
- c. Section 5.2, Shoreline Restoration, 3rd paragraph: As stated above, it is premature to speculate on the sediments cleanup alternatives that would be chosen for an interim action or in the draft CAP. It is true that sediment capping is a common cleanup alternative for sediments. However, targeted sediment contamination removal will also need to be considered. If capping is chosen as a remedy for sediments, the interim action work plan and/or FS will determine the necessary capping locations and thickness.

West Bay Yards Shoreline Restoration Design, Moffatt & Nichol, November 2024

- a. Table 5-5, Quantitative Comparison of Alternatives in Terms of Required Fill in Addition to Permitting Considerations: The table includes a column of "Environmental (MTCA) Considerations" for each of the alternatives. The MTCA cleanup process should be considered independent of shoreline restoration alternatives. The MTCA cleanup will be designed to be protective for any of the alternatives. Also, as stated above, it is premature to speculate on the cleanup alternatives that would be chosen for an interim action or in the draft CAP. It is true that sediment capping is a common cleanup alternative for sediments. However, targeted sediment contamination removal will also need to be considered. If capping is chosen as a remedy for sediments, the interim action work plan and/or FS will determine the necessary capping locations and thickness.

Please remove MTCA considerations from the table.

- b. Also, in the geotechnical considerations, the table needs to consider that the Portadam method mentioned above is a possible alternative to using a sheet pile wall cofferdam.

Updated SEPA Checklist, 11/26/2024

- a. Section 7.a.1, Environmental Health: This section mentions that there is soil and groundwater contamination but the presence of dioxins/furans and cPAHs sediment contamination is not mentioned; this needs to be added.
- b. Section 7.a.1, Environmental Health, 4th bullet: Ecology disagrees with the statements in this bullet regarding whether or not contaminated soil behind the revetment should be removed. We also disagree that removing the revetment and the soil behind the revetment would increase the risk for transport of contaminants to West Bay surface water or sediment. The MTCA cleanup process should be considered independent of shoreline restoration alternatives. The MTCA cleanup will be designed to be protective for any of the alternatives. It is premature to speculate on the cleanup alternatives that would be chosen for an interim action or in the draft CAP. **Please delete this bullet from the checklist.**
- c. Section 7.a.2, Environmental Health, 1st bullet: Please delete the sentence "*The anticipated MTCA remedy for these hazardous chemicals/conditions have been integrated into and are harmonious with the existing project design.*" The MTCA cleanup process should be considered independent of shoreline restoration alternatives.
- d. Section 7.a.5, Environmental Health, 1st bullet: Please delete the bullet text and state instead that existing site contamination will be cleaned up under a MTCA Agreed Order.
- e. Section 13, Historic and cultural preservation, Item d, Proposed measures to avoid, minimize, or compensate for loss, changes to, or disturbance to resources: The checklist states that the developer will consult with DAHP and the Squaxin Island Tribe to further evaluate and mitigate for project impacts. In addition to the Squaxin Island Tribe, other affected Tribes should be consulted as well. For example, the Nisqually Indian Tribe has informed Ecology of their concern about this. **Please update the checklist to indicate that all affected Tribes will be consulted.**

Thanks,
Steve

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From: Nicole Floyd <nfloyd@ci.olympia.wa.us>
Sent: Thursday, January 23, 2025 4:38 PM
To: Steinweg, Noll E (DFW) <Noll.Steinweg@dfw.wa.gov>; Carp, Lizzie (ECY) <lcar461@ECY.WA.GOV>; Teel, Steve (ECY) <stee461@ECY.WA.GOV>; daniel.a.krenz@usace.army.mil; Scott Steltzner <ssteltzner@squaxin.us>
Subject: West Bay Yards

External Email

Hey Team,

I am writing to let you know we have received round 4 of the West Bay Yards application submittal. I have attached a couple documents, and have some questions / updates for you:

1. The applicant has pulled the shoreline restoration work back so that they will be creating less new upland area, but not eliminating it. I am curious what you see related to the new design that stands out.
 - a. I am particularly interested/concerned about the transitional areas on the north/south sides of the property.
2. Shoreline CUP. The applicant has revised materials to indicate that this is now a SCUP due to the commercial /residential mix being within 100' of the OHWM. I am curious how/if this changes your comments.
 - a. Are there other elements that also warrant SCUP – like the groin. I have not studied the plans carefully but suspect it remains part of the plan.
 - b. Lizzie – it is my understanding that only the parts of the project that require the SCUP would be held to the higher standard – is that correct?
3. Do you see feasibility issues with this new design?
4. Daniel – can you confirm they have / have not applied for a army corp permit? I believe they have not.
5. Steve – can you provide an update on where they are at in the clean up approval process

and if this design change conforms with those plans/approach? Do you see issues we should be aware of?

6. Other??

Please let me know if you have thoughts/comments or want to see additional plans. I can only send so much via email but will have things available on the website soon.

Nicole Floyd, AICP

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